

Subject:	Richard and Carol Turner variance requests
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From:	"Bird, Denise (CCPS)" < dbird@ccboe.com >
Recipient	Action Date & Time Comment
To: Carrol Everett (EverettC@charlescounty.org)	

Please see attached letter for further testimony in the above mentioned case. Thank you!

Denise Bird

County Board of Appeals

Charles County, MD

Additional Testimony, submitted 2/15/2013

My husband and I, James and Denise Bird, spoke briefly on Tuesday evening on the Richard/ Carol Turner matter involving the variance requests for operating their slaughter house.

In contemplation of the various things that were said during the appeals meeting by various parties, the crux of the issue, we believe, lies with the road and the condition of the road. At the beginning of this issue, the parties in the front part of the neighborhood wanted to close Mr. Turner down. It was interesting that the other night, they were saying they wanted to "see him" relocate. We wonder if the other businesses on the road will need to "relocate" as well!?! But on to other points!

Back in the 70's, Mrs. Petzold deeded Petzold and Elizabeth Drives to "Public Access." If the residents in the front part of Petzold Drive are so concerned about safety, why don't they or why haven't they removed the shrubbery and other vegetation that currently encroaches and is within the 50 foot right-of-way of Petzold Drive?

The fact remains that the road was never brought to code throughout the years, divisions and sale of property. Mr. Elbert highlighted that fact, among others, on Tuesday evening. The members of the family who applied for and got the variances for subdivision, didn't follow through with their legal

responsibility to bring the road to code. Mr. Elbert was further correct in that, because the road up front is so flat and there is no drainage possible, the pot holes are horrendous. He keeps them filled in as best he can, however it's a weekly job. And, since the pot holes are ever present, speeding would seriously damage any vehicle, car or truck that chose to go faster than 5-10 miles per hour! Besides, there isn't a single adult person on that road who would drive in such a manner as to bring/cause potential harm to any of the children on that road. I have personally witnessed people stopping when they see any child walking or riding a bike, to allow them to pass and not impede their progress or stir up dust for them to endure. When the weather is nice, the kids are riding their bikes frequently. Never, in the 5 years that we've lived there, has there been an issue with this that has been brought to our attention.

It seems that the blame for the road condition is being placed solely on Mr. and Mrs. Turner and their business. However, they are not the only business on that road! Three of the people who spoke the other night have businesses also. The additional businesses on the road are as follows: Mr. Snelling - Snelling and Sons Painting (employees/cars coming in daily); Mr. Johnston - Excavating and Construction business (big trucks and excavation equipment); Mr. Lawrence - Home based Health products (delivery vehicles and customer vehicles); Mori (and significant other) - Electrician (vans/trucks and trailers). If the thought is that businesses need to be responsible for the road, will these people/businesses be held as equally responsible/ accountable to maintain the road? It seems that they are transferring all responsibility for maintenance (financially and manually) to Mr. Turner while taking no responsibility, in any way, shape or form, for their use of the road for their business endeavors. That hardly seems fair!

If the "family" wants to "own it," then when is the county going to mandate that they need to bring Petzold and Elizabeth Drive up to code, since the last parcel of land was purchased by the county? Or since the road is still deeded to a person or persons who have been deceased for quite a while, why not have the county look into Imminent Domain proceedings and fix the road properly, thus making the road a moot point. This action would be to the benefit of all.

In spite of the residents at the front of the neighborhood saying they want to do what's best for the neighborhood, their actions speak to the contrary. The mention of the Booth situation the other night in comparison with this, was abhorrent and totally out of line! Really now, resorting to scare tactics? How disgusting is that, especially when it's been one of them that threatened the use of a firearm on Mr. Elbert when he was attempting to maintain the road/fill in some low spots?!? If the county isn't going to act on this, the bottom line is that the best use of everyone's time, effort and dollars would be to work together, in the true spirit of cooperation and compromise, to come up with a maintenance agreement, to include physical maintenance and financial support of materials needed for improvement of the road. It's a sad state of affairs and a total misuse of time, effort and dollars to disseminate

inflammatory, and generally erroneous materials, verbally harass residents and hire attorneys to deal with this situation. Unfortunately, common sense doesn't seem to be able to prevail. Thus the majority of us prevail upon you to base your rulings on common sense and common decency.

Thank you in advance for your consideration of these remarks in this matter.

Respectfully,

James and Denise Bird

4315 Elizabeth Drive

Waldorf, MD 20601